

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RECEIVED  
SDNY PRO SE OFFICE  
2024 DEC 16 AM 9:55

Mirela Hintermaier

Write the full name of each plaintiff.

\_\_\_\_ CV \_\_\_\_  
(Include case number if one has been assigned)

-against-

Equifax Information Services, LLC  
~~Experian Information Solutions, Inc.~~  
TransUnion, LLC

**COMPLAINT**

Do you want a jury trial?  
☒ Yes ☐ No

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

## I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ Federal Question

☒ Diversity of Citizenship

### A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

This Court has jurisdiction over this matter pursuant to 15 U.S.C. § 1681p and 28

U.S.C. § 1331, as this action arises under the laws of the United States.

---

---

### B. If you checked Diversity of Citizenship

#### 1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, Mirela Hintermaier, is a citizen of the State of  
(Plaintiff's name)

New York

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

---

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, \_\_\_\_\_, is a citizen of the State of  
(Defendant's name)

\_\_\_\_\_  
or, if not lawfully admitted for permanent residence in the United States, a citizen or  
subject of the foreign state of \_\_\_\_\_.

If the defendant is a corporation:

The defendant, \_\_\_\_\_, is incorporated under the laws of  
the State of \_\_\_\_\_

and has its principal place of business in the State of \_\_\_\_\_

or is incorporated under the laws of (foreign state) \_\_\_\_\_

and has its principal place of business in \_\_\_\_\_.

If more than one defendant is named in the complaint, attach additional pages providing  
information for each additional defendant.

**II. PARTIES**

**A. Plaintiff Information**

Provide the following information for each plaintiff named in the complaint. Attach additional  
pages if needed.

Mirela		Hintermaier
First Name	Middle Initial	Last Name
330 W 56th Street, Apt. 23M		
Street Address		
New York	NY	10019
County, City	State	Zip Code
212-729-4637	mirela_hm@pm.me	
Telephone Number	Email Address (if available)	

**B. Defendant Information**

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1: Experian Information Solutions, Inc.

First Name

Last Name

Current Job Title (or other identifying information)

475 Anton Blvd.

Current Work Address (or other address where defendant may be served)

Costa Mesa

CA

92626

County, City

State

Zip Code

Defendant 2: Equifax Information Services, LLC

First Name

Last Name

Current Job Title (or other identifying information)

1550 Peachtree Street, N.W.

Current Work Address (or other address where defendant may be served)

Atlanta

GA

30309

County, City

State

Zip Code

Defendant 3: TransUnion LLC

First Name

Last Name

Current Job Title (or other identifying information)

555 W. Adams St.

Current Work Address (or other address where defendant may be served)

Chicago

IL

60661

County, City

State

Zip Code

Defendant 4: N/A

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

**III. STATEMENT OF CLAIM**

Place(s) of occurrence: Online

Date(s) of occurrence: April 2024 - Present

**FACTS:**

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

**4. FACTUAL ALLEGATIONS**

~~4.1. Plaintiff filed for Chapter 7 bankruptcy on December 1, 2023, and the bankruptcy was discharged on March 27, 2024, pursuant to court order. Plaintiff's student loans were subsequently discharged on August 19, 2024, pursuant to a court stipulation and proposed order of dismissal.~~

4.2. The following accounts were included in the bankruptcy and discharged:

~~Revolving Accounts: Closed~~

Apple Card - GS Bank USA - 110001111887

Capital One - 517805779294

~~Capital One - 517805844565~~

Discover Bank - 601120887970

Lending Club - 18739

Lending Club - 15806

~~Installment Accounts: Open~~

Department of Education - 4091

Department of Education - 4391

Department of Education - 4491

~~Department of Education - 3791~~

Department of Education - 3691

Department of Education - 3891

Department of Education - 3991  
~~Department of Education - 4291~~  
Department of Education - 4191  
~~Department of Education - 4591~~

4.3. Since March 2024, Plaintiff has disputed numerous inaccuracies in Defendants' reporting of discharged accounts. Plaintiff has provided Defendants with supporting documentation, including the bankruptcy discharge order, court stipulations, and related evidence.

4.4. Despite Plaintiff's repeated disputes, Defendants have failed to correct the inaccuracies and continue to report misleading and false information regarding Plaintiff's accounts included in the bankruptcy.

#### 4.5. TransUnion Reporting Practices

~~TransUnion is reporting the "Pay Status" of revolving accounts included in Plaintiff's~~

### INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

#### 4.8. Harm to Plaintiff

~~These inaccuracies and misleading reporting practices have caused Plaintiff significant harm, including:~~

Denial of a medical loan for urgent and medically necessary dental surgery, resulting in financial harm, emotional distress, and a worsening medical condition due to delayed treatment.

Damage to Plaintiff's creditworthiness and financial reputation

### IV. RELIEF

State briefly what money damages or other relief you want the court to order.

### 5. CLAIMS FOR RELIEF

~~Count 1: Willful Violation of the FCRA (15 U.S.C. § 1681n)~~

5.1. Defendants willfully failed to maintain accurate credit reporting as required under 15 U.S.C. § 1681e(b).

5.2. Defendants willfully failed to conduct reasonable investigations of Plaintiff's disputes, in violation of 15 U.S.C. § 1681i(a).

5.3. As a result of Defendants' willful violations, Plaintiff suffered actual damages, statutory damages, and is entitled to punitive damages.

**V. PLAINTIFF'S CERTIFICATION AND WARNINGS**

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

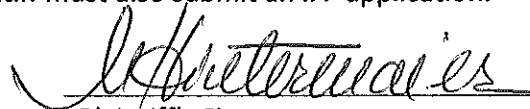
I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

12/08/2024

Dated

Mirela



Plaintiff's Signature

Hintermaier

First Name

Middle Initial

Last Name

330 W 56th Street, Apt.23 M

Street Address

New York

NY

10019

County, City

State

Zip Code

212-729-4637

mirela\_hm @pm.me

Telephone Number

Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

RECEIVED  
SDNY PRO SE OFFICE  
2024 DEC 16 AM 9:58

---

**Mirela Hintermaier,  
Plaintiff,**

**Index Number**

**v.**

**Equifax Information Services LLC,**

**Experian Information Solutions, Inc., and**

**Complaint**

**TransUnion LLC,  
Defendants.**

---

**1. PRELIMINARY STATEMENT**

1.1. Plaintiff Mirela Hintermaier brings this action against Defendants Equifax Information Services LLC, Experian Information Solutions, Inc., and TransUnion LLC (collectively, the “Defendants”) for their willful and negligent violations of the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. § 1681 et seq.

1.2. This action arises from Defendants’ failure to accurately report information regarding Plaintiff’s credit accounts that were discharged in bankruptcy, despite Plaintiff’s repeated disputes and provision of supporting documentation.

1.3. Defendants’ inaccurate and misleading reporting practices have caused Plaintiff significant harm, including damage to Plaintiff’s creditworthiness, denial of a medical loan for urgent and medically necessary dental surgery, emotional distress, and financial hardship.

1.4. Plaintiff seeks actual damages, statutory damages, punitive damages, and any other relief the Court deems appropriate to remedy Defendants’ violations of the FCRA.

**2. JURISDICTION AND VENUE**

2.1. This Court has jurisdiction over this matter pursuant to 15 U.S.C. § 1681p and 28 U.S.C. § 1331, as this action arises under the laws of the United States.

2.2. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b), as the Defendants conduct business in this jurisdiction, and the events giving rise to this action occurred here.

**3. PARTIES**

3.1. Plaintiff Mirela Hintermaier is a natural person residing in New York, NY, and is a “consumer” as defined by 15 U.S.C. § 1681a(c).



3.2. Defendant Equifax Information Services LLC is a consumer reporting agency as defined by 15 U.S.C. § 1681a(f), regularly engaged in the business of assembling, evaluating, and disseminating information concerning consumers for the purpose of furnishing consumer reports to third parties.

3.3. Defendant Experian Information Solutions, Inc. is a consumer reporting agency as defined by 15 U.S.C. § 1681a(f), regularly engaged in the business of assembling, evaluating, and disseminating information concerning consumers for the purpose of furnishing consumer reports to third parties.

3.4. Defendant TransUnion LLC is a consumer reporting agency as defined by 15 U.S.C. § 1681a(f), regularly engaged in the business of assembling, evaluating, and disseminating information concerning consumers for the purpose of furnishing consumer reports to third parties.

#### **4. FACTUAL ALLEGATIONS**

4.1. Plaintiff filed for Chapter 7 bankruptcy on December 1, 2023, and the bankruptcy was discharged on March 27, 2024, pursuant to court order. Plaintiff's student loans were subsequently discharged on August 19, 2024, pursuant to a court stipulation and proposed order of dismissal.

4.2. The following accounts were included in the bankruptcy and discharged:

##### **Revolving Accounts: Closed**

- Apple Card - GS Bank USA - 110001111887
- Capital One - 517805779294
- Capital One - 517805844565
- Discover Bank - 601120887970
- Lending Club - 18739
- Lending Club - 15806

##### **Installment Accounts: Open**

- Department of Education - 4091
- Department of Education - 4391
- Department of Education - 4491
- Department of Education - 3791
- Department of Education - 3691
- Department of Education - 3891
- Department of Education - 3991
- Department of Education - 4291
- Department of Education - 4191
- Department of Education - 4591

4.3. Since March 2024, Plaintiff has disputed numerous inaccuracies in Defendants' reporting of discharged accounts. Plaintiff has provided Defendants with supporting documentation, including the bankruptcy discharge order, court stipulations, and related evidence.

4.4. Despite Plaintiff's repeated disputes, Defendants have failed to correct the inaccuracies and continue to report misleading and false information regarding Plaintiff's accounts included in the bankruptcy.

#### **4.5. TransUnion Reporting Practices**

- TransUnion is reporting the "Pay Status" of revolving accounts included in Plaintiff's bankruptcy as "Account Included in Bankruptcy." However, TransUnion simultaneously reports other misleading and incomplete information, including:
  - "Last Payment Made," which fails to reflect the discharge of the debt.
  - "High Balance" and "Credit Limit," which imply continued liability.
  - "Number of Months Opened" and "Date Closed," which fail to indicate that the accounts were closed due to the bankruptcy.
  - "Estimated Month to Show in Credit Report" (e.g., 09/2029), which creates confusion for creditors.
- TransUnion is also reporting Plaintiff's student loans as open and with balances, despite the court order discharging these loans on August 19, 2024 the Plaintiff providing the court order to the Defendant.

#### **4.6. Equifax Reporting Practices**

- Equifax is reporting inaccurate and misleading information for Plaintiff's revolving accounts, including:
  - "Date of First Delinquency" and "Delinquency First Reported," which imply ongoing negative activity.
  - Negative payment history for months prior to and after the bankruptcy discharge.
- Equifax is also reporting installment accounts included in the bankruptcy with:
  - "Charge-Off Amounts," which suggest continued liability.
  - Balances and scheduled payments for May and June 2024, despite the accounts being discharged.
- Equifax is inaccurately reporting Plaintiff's student loans as open and with a balance, despite the court order confirming discharge on August 19, 2024.

#### **4.7. Experian Reporting Practices**

- Experian is reporting misleading information for Plaintiff's accounts included in bankruptcy, including:
  - Labeling accounts as "Potential Negative" and showing "Potentially Negative Months."
  - Reporting "Credit Limit" and "Highest Balance," which imply continued liability.
  - Displaying "Payment Summary" with late payments and delinquent months post-bankruptcy.
  - Reporting "Last Payment Date," which implies recent activity.
  - Reporting "Terms" with the number of months, suggesting active accounts.

#### **4.8. Harm to Plaintiff**

- These inaccuracies and misleading reporting practices have caused Plaintiff significant harm, including:
  - Denial of a medical loan for urgent and medically necessary dental surgery, resulting in financial harm, emotional distress, and a worsening medical condition due to delayed treatment.
  - Damage to Plaintiff's creditworthiness and financial reputation.

### **5. CLAIMS FOR RELIEF**

#### **Count 1: Willful Violation of the FCRA (15 U.S.C. § 1681n)**

5.1. Defendants willfully failed to maintain accurate credit reporting as required under 15 U.S.C. § 1681e(b).

5.2. Defendants willfully failed to conduct reasonable investigations of Plaintiff's disputes, in violation of 15 U.S.C. § 1681i(a).

5.3. As a result of Defendants' willful violations, Plaintiff suffered actual damages, statutory damages, and is entitled to punitive damages.

#### **Count 2: Negligent Violation of the FCRA (15 U.S.C. § 1681o)**

5.4. In the alternative, Defendants negligently failed to comply with the FCRA.

5.5. Plaintiff is entitled to recover actual damages caused by Defendants' negligence.

### **6. DAMAGES SOUGHT**

Plaintiff seeks the following relief:

- **Actual damages:** \$50,000 for harm to creditworthiness, emotional distress, financial harm, and worsening medical condition.
- **Statutory damages:** \$1,000 per violation under 15 U.S.C. § 1681n(a)(1)(A).
- **Punitive damages:** \$100,000 to deter future violations.

- Any other relief the Court deems just and proper.

**7. JURY DEMAND**

Plaintiff demands trial by jury on all issues triable by a jury.

Dated: December 05, 2024

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "M. Hintermaier", written in a cursive style.

Mirela Hintermaier  
330 W 56th Street, Apt. 23M  
New York, NY 10019  
Phone: 212-729-4637  
Email: mirela\_hm@pm.me